

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

ALAN GOLDMAN,

Plaintiff

v.

MCCONNELL VALDES, LLC;
ANTONIO A. ARIAS-LARCADA, his wife
MRS. ARIAS, and the Conjugal Partnership
composed by them;
JOSE IRIZARRY-CASTRO;
JOHN DOE; MARY DOE
UNKNOWN INSURANCE COMPANY;

Defendants

CIVIL NO.: 24cv01136(SCC)

RESPONSE IN OPPOSITION TO MOTION FOR SANCTIONS

TO THE HONORABLE COURT:

NOW APPEAR co-defendants Antonio Arias Larcada, his wife Maria Beale, and the Conjugal Partnership constituted between them, and McConnell Valdés, LLC., through their undersigned counsel, and very respectfully state and pray as follows:

1. Yesterday, April 15, 2025, the plaintiff, Alan Goldman, filed a pleading entitled “Motion for Sanctions” (Dkt. No. 125), which purports to request that the Court impose unspecified sanctions upon the undersigned counsel for alleged lack of candor towards the Tribunal. The plaintiff’s Motion includes various exhibits showing his former counsel’s communications during 2021 regarding Mr. Goldman’s health issues and alleged inability to travel to Puerto Rico. The plaintiff states that the disclosure of these documents as part of the discovery in

this case means that the undersigned “cannot now feign ignorance of these material admissions by his own clients”. On this basis, Mr. Goldman claims that the undersigned attorney “has either not been candid with the Court or has made several false statements and false representations to the Court.”¹

2. Respectfully, Mr. Goldman’s “Motion for Sanctions” is no more than the latest salvo in his increasingly desperate battle to avoid coming to Puerto Rico for the physical and mental examination ordered by the Court. His efforts to smear the undersigned by alleging a lack of candor are spurious and need not be dignified with a response. Suffice it to say, that the statements made in 2021 in the context of litigation by Mr. Goldman’s former counsel, Antonio Arias, to the effect that his client, a defendant in a pending case, was then unable to travel to Puerto Rico for health reasons, are not inconsistent with the position taken by the defendants in this case, i.e., that the plaintiff herein, Mr. Goldman, must comply with the Court’s orders, cannot prosecute this case remotely, and cannot have this case transferred to Vermont, regardless of his alleged health conditions.

WHEREFORE, for all of the above stated reasons, it is respectfully requested that the Honorable Court deny the Plaintiff’s “Motion for Sanctions” (Dkt. No. 125) and grant such further relief as it may deem just and proper.

¹The plaintiff’s Motion does not specify which “false statements and false representations” the undersigned has supposedly made to the Court. Presumably, the plaintiff is referring to the controversy regarding his attempts to avoid coming to Puerto Rico for a Court-ordered medical examination. Through the undersigned counsel, the appearing defendants have insisted that the plaintiff comply with the Court’s order and have opposed Mr. Goldman’s attempts to have the case transferred to Vermont. The position taken in the briefs by the appearing defendants and their undersigned attorney with respect to these matters has been based solely on the known facts and the applicable law and has at all times complied with A.B.A. Model Rule of Professional Conduct 3.3.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 16th day of April, 2025.

I HEREBY CERTIFY that on this 16th day of April, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all the counsel of record.

S/MANUEL SAN JUAN

MANUEL SAN JUAN

USDC-PR No.: 204706

Attorney for Defendants

P.O. Box 9023587

San Juan, Puerto Rico 00902-3587

Tel.: (787) 723-6637 / (787) 723-6669

E-mail: sanjuanm@microjuris.com